

Exhibit D

From: Troy Romero
Sent: Saturday, July 11, 2020 8:54 AM
To: carlwescott2020@gmail.com
Cc: Seth Harris; Kathy Koback
Subject: RE: Demand to withdraw all of your notices of default

Importance: High

Mr. Wescott:

I believe this is at least the fourth time I have emailed or wrote you and to date you have never had the courtesy of responding once. Please do so.

I have received some paperwork from several of my clients notifying them that you believe that a default can be entered because of an alleged failure to respond to the complaint.

As you know, your service is defective on all of my clients and thus they have no obligation to answer your complaint.

But even if that were not the case your "Corrected" Amended Complaint has not been filed for over 30 days. While I recognize you are not an attorney you are nonetheless held to all of the Rules of Civil Procedure. **You cannot default a defendant until 30 days after service of the current version of the complaint, even if you have proper service** (which you don't). You are using your purported service of the original complaint but trying to default some of my clients using the "Corrected" (which, as you may recall, should be called "First Amended" Complaint) Complaint. You are directed to withdraw all of your notices of default against all of my clients first thing Monday morning and provide me written notice that you have done so.

By the way, the case is going to be removed on Monday to federal district court. We will then file a motion for change of venue to California, as this the venue in which the subject agreement was entered into and which you **contractually agreed would be the forum for resolution of all disputes under the Agreement**. If you would like to stipulate to removal of the case to California it will save you significant time. Otherwise, we will do this ourselves.

After the removal we file a motion under Rule 12(b)(6) for dismissal. You do not have a colorable claim.

We recognize that you are trying to shake down our clients. When the time comes to file an answer we will be filing a counter-claim for malicious prosecution and will be asking for Rule 11 Sanctions.

We would again strongly encourage you to dismiss your case, at least against my clients.

Troy

H. Troy Romero



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From: Troy Romero
Sent: Friday, July 10, 2020 4:46 PM
To: carlwescott2020@gmail.com
Cc: Seth Harris <sharris@romeropark.com>; Kathy Koback <kkoback@romeropark.com>
Subject: Failure to dismiss case

Mr. Wescott:

You failed to voluntarily dismiss your lawsuit within the time we gave you.

Accordingly, on Monday we will remove the case to federal court.

We note that you have filed motions for default against some of our clients. Please immediately withdraw those motions. As I mentioned before you have not properly served any of my clients. Please understand that if we have to spend any money defending the Arizona action we will seek terms against you for doing so as we have advised you of the improper service.

Troy

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